

**Department of Commerce
Efforts to Implement the President's
Management Council
Environmental Compliance Improvement
Recommendations**

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I. General Information

A. Introduction: The Government is committed to ensuring that Federal agencies and facilities comply with environmental laws and regulations. The President's Management Agenda strives to improve program management and performance in the Federal government. This report outlines the Department of Commerce's efforts to execute the President's Management Council (PMC) recommendations for improving its environmental compliance program performance.

B. Background: In April 2003, the PMC tasked the Council on Environmental Quality (CEQ) and the Office of the Federal Environmental Executive (OFEE) with determining how Federal agencies assure environmental compliance. A survey of Federal agencies, conducted by CEQ and OFEE, indicated there were problems throughout the Federal government regarding environmental compliance. CEQ and OFEE identified root causes typically experienced at Federal agencies and outlined recommendations for improving environmental compliance management. Those root causes and recommendations were highlighted in the Environmental Compliance Management Improvement Initiative paper presented to the PMC at their October 2003 meeting. Following the meeting, the PMC directed Federal agencies to complete a report outlining their plan for executing the recommendations.

C. Mission of the Department: The Department promotes job creation, economic growth, sustainable development, and improved living standards for all Americans by working in partnership with businesses, universities, communities, and workers to:

- Build for the future and promote U.S. competitiveness in the global marketplace, by strengthening and safeguarding the nation's economic infrastructure.
- Keep America competitive with cutting-edge science and technology and an unrivaled information base.
- Provide effective management and stewardship of our nation's resources and assets to ensure sustainable economic opportunities.

D. Organization of the Department: The Department is a cabinet-level Federal Agency made up of a Washington, D.C., headquarters and 13 primary operating units. Most of the operating units operate offices in GSA-leased facilities and have no significant environmental impacts. Facilities with potential significant environmental impacts are defined as appropriate facilities. In accordance with the Secretary's Environmental Management System (EMS) Policy letter of April 22, 2003, and the Department's *Environmental Management Manual*, appropriate facilities will implement an EMS as a tool for managing their significant impacts and improving environmental compliance performance. Currently, the Department has 11 appropriate facilities in various stages of EMS implementation.

II. Administration Level Recommendations

The Department supports the PMC Administration recommendations. Some Department, operating unit, and facility level recommendations cannot be implemented until the Administration level recommendations have been successfully executed. The following paragraphs discuss the impact of Administration level recommendations on the Department.

A. Policy: The Administration's policy on environmental compliance defines the performance expected by the Department and will be reflected in Department level policy.

B. Planning and Support Mechanisms: The key for achieving significant improvements in the Department's environmental compliance performance hinges on the success of the Administration to execute the PMC's recommendations for planning and support mechanisms. Especially important are the Administration recommendations to align budget guidelines to environmental requirements, create procedures and processes to track environmental compliance performance, and establish environmental compliance training requirements for appropriate Office of Management and Budget staff.

C. Accountability: Successful implementation of the Administration level recommendation to align and incorporate environmental compliance management factors into core qualifications for all Federal senior managers is likely the only way to effect similar changes within the Department.

D. Checking: Development and implementation of effective and efficient Administration level mechanisms to compile and report on Federal environmental compliance management progress and environmental program performance would prove worthwhile for standardized reporting throughout the Department.

III. Department Level Recommendations

The Department affirms Administration policy and goals in the context of our mission, communicates policy and goals to our operating units, supports operating unit efforts to improve environmental compliance management and environmental program performance, and aggregates operating unit performance information for reporting to the Administration level. The following paragraphs discuss the Department's efforts to implement each of the specific PMC Department level recommendations.

A. Department Policy Recommendations:

1. Affirm Administration policy regarding commitment to environmental compliance and enhanced program performance.

- Current Status: This recommendation has been implemented. The Secretary issued a policy statement on April 22, 2003 (Earth Day). This policy statement affirmed the Administration policy regarding commitment to environmental compliance, enhanced program performance, and implementation of environmental management systems at appropriate facilities.
- Future Actions: No further action is required at this time.

B. Department Planning Recommendations:

1. Provide guidance metrics for environmental program performance, including compliance management and other information necessary to respond to Administration level metrics.

- Current Status: This recommendation has been implemented. On November 4, 2004, the Department issued its *Environmental Management Manual*. The Manual describes the Department's environmental management and compliance program and includes targets and objectives for measuring and tracking environmental performance. The targets and objectives reflect current Administration level metrics.
- Future Actions: The Department's *Environmental Management Manual* targets and objectives will be revised as Administration level metrics change.

2. Ensure that agency budgeting systems identify environmental program requirements and that agency accounting systems properly identify and dedicate environmental management funding.

- Current Status: This recommendation can only be partially implemented. The *Environmental Management Manual* requires operating units to identify and report environmental program requirements included in their budget proposals in order to ensure adequate funding for environmental compliance management.
- Justification for not fully implementing this recommendation: Our current budget and funding processes are decentralized to the operating unit level. The Department does

not take back, withhold, or redirect operating unit funding. Operating units establish their own budgets and exercise authority over spending their funds.

- Future Actions: Implementation of Administration level planning and support recommendations must occur in order to fully implement this Department level recommendation.

3. Utilize environmental compliance management performance information to inform management funding decision-making processes and improve environmental compliance performance.

- Current Status: This recommendation was partially implemented. The newly released *Environmental Management Manual* established targets, objectives, and procedures to track performance on a quarterly basis. These targets and objectives were established to ensure and improve environmental compliance performance. This is the first time that the Department has required quarterly reporting. Operating units are currently reviewing the requirements and establishing procedures to report quarterly. In addition, the Department is working to establish an on-line reporting database as a way to simplify the process.
- Future Actions: By October 1, 2005, the Department will initiate an on-line reporting database and operating units will begin reporting environmental performance. Results of quarterly reporting will be provided to senior managers to assist in funding decisions and improve environmental compliance performance.

C. Department Support Mechanisms Recommendations:

1. Align budget and funding procedures to recognize and respond to programmatic needs for support of environmental compliance management and enhanced program performance.

- Current Status: This recommendation was partially implemented. The *Environmental Management Manual* requires operating units to submit environmental budget information to the Department. This information is used to verify that operating units support environmental compliance management and enhance program performance.
- Justification for not fully implementing this recommendation: Our current budget and funding processes are decentralized to the operating unit level. The Department does not take back, withhold, or redirect operating unit funding. Operating units establish their own budgets and exercise authority over spending their funds.
- Future Actions: Implementation of Administration level planning and support mechanisms recommendations must occur in order to fully implement this Department level recommendation.

2. Train financial/budget staff to effectively recognize and address environmental management elements in budget considerations and requests.

- **Current Status:** This recommendation has been partially implemented. The *Environmental Management Manual* contains a requirement that the operating units share environmental budget information with the Department's Environmental Manager. Using this information, the Department's Environmental Manager works with the Department budget staff to ensure environmental compliance initiatives are adequately identified in operating unit budgets. In FY 2004, this effort worked successfully to restore \$1.0 million back into an operating unit's budget. The Budget Office mistakenly deleted \$1.0 million because they suspected it was a duplicate entry. The shared knowledge between the Department and operating unit Environmental Managers and Department Budget Office ensured the mistake was corrected prior to finalization of the budget.
- **Future Actions:** The Budget Office currently supports environmental initiatives. As the environmental compliance management program matures, budget and financial staff will be given the opportunity to receive additional training. Implementation of Administration level planning and support mechanisms recommendations must occur in order to fully implement this Department level recommendation.

3. Ensure adequate resources are planned and allocated across the Department to foster improved environmental compliance management and program performance.

- **Current Status:** This recommendation has been partially implemented. The *Environmental Management Manual* establishes targets and objectives designed to improve environmental compliance performance. In addition, the Manual establishes a requirement for operating units to share environmental budget details. Together this information is used by the Department to evaluate if adequate resources were planned and allocated to foster improved environmental compliance performance.
- **Justification for not fully implementing this recommendation:** Our current budget and funding processes are decentralized to the operating unit level. The Department does not take back, withhold, or redirect operating unit funding. Operating units establish their own budgets and exercise authority over spending their funds.
- **Future Actions:** Implementation of Administration level support mechanisms recommendations must occur in order to fully implement this Department level recommendation.

D. Department Accountability Recommendations:

1. Align/incorporate environmental compliance management factors into accountability elements and roles and responsibilities for senior and mid-level management personnel to ensure awareness of and support for implementation of environmental program management goals.

- **Current Status:** This recommendation was partially implemented. Only the senior and mid-level management with direct environmental responsibilities have environmental compliance management factors in their accountability elements as determined by their immediate supervisors. Additionally, the Department's *Environmental Management Manual* outlines roles and responsibilities for key personnel.
- **Justification for not fully implementing this recommendation:** Current Office of Personnel Management rules and regulations regarding personnel performance rating must be modified to fully implement this recommendation.
- **Future Actions:** Implementation of Administration level accountability recommendations must occur in order to fully implement this Department level recommendation.

E. Department Monitoring and Follow-up (Checking) Recommendations:

1. Include environmental program performance metrics in existing management information collection processes to identify, collect, and report to Administration level on Department performance relative to programmatic and compliance goals and strategic plans.

- **Current Status:** This recommendation was already implemented. The *Environmental Management Manual* provides guidance and reporting requirements and established a process to identify, collect, and report environmental compliance performance relative to the Department's programmatic and compliance goals and strategic plans. When required, the Department reports this information to the Administration.
- **Future Actions:** No further action is required at this time.

2. Review environmental compliance management status, successes and failures to inform Department management decision-making processes and implement corrective actions towards environmental compliance management improvement.

- **Current Status:** This recommendation was partially implemented. The Department's *Environmental Management Manual* established targets, objectives, and procedures to track status on a quarterly basis. These targets and objectives were established to improve environmental compliance performance. This is the first time that the Department has required quarterly reporting. Operating units are currently reviewing the requirements and setting up their own reporting procedures. In addition, the Department is working to establish an on-line reporting database as a way to simplify the process.

- Future Actions: By October 1, 2005, the Department will initiate an on-line reporting database and operating units will begin reporting environmental performance. Performance results will be presented to Department senior managers. These results will provide senior managers information to make informed decisions and take appropriate corrective actions where necessary.

3. Evaluate environmental compliance management with regard to funding requested and funding received to identify the implications of funding disparities on environmental management programs. Evaluation should occur within the environmental function chain at the lowest practical functional level and inform Department management's decision-making.

- Current Status: This recommendation has been implemented. The *Environmental Management Manual* establishes targets and objectives designed to improve environmental compliance performance. In addition, the Manual establishes a requirement for operating units to share environmental budget details to ensure that improved environmental compliance performance has received adequate funding. Department and operating unit environmental managers review this information and identify and report to senior managers the disparities between funding requested and funding received or needed.
- Future Actions: No further action is required at this time.

IV. Operating Unit Level Recommendations

Operating units identify relevant compliance requirements; transmit these requirements to their facilities; establish compliance requirements, support tools, and operating unit environmental compliance management expectations in the context of operational expectations; and aggregate measurement information from facilities for reporting to the Department. The following paragraphs discuss operating unit efforts to implement each of the specific PMC operating unit level recommendations.

A. Operating Unit Policy Recommendations:

1. Affirm and forward Department environmental compliance management and performance enhancement goals and objectives to appropriate levels and functions within the operating unit.

- Current Status: This recommendation was partially implemented. The Department's April 22, 20003, environmental policy statement was accepted as operating unit level policy or the operating unit established their own policy.
- Future Actions: The National Oceanic and Atmospheric Administration intends to establish its own environmental policy by September 30, 2005.

B. Operating Unit Planning Recommendations:

1. Ensure alignment of operating unit mission related operating plans and environmental programs with Department environmental compliance management and performance goals.

- Current Status: This recommendation is being implemented. Operating units are reviewing the recently released *Environmental Management Manual* to ensure related plans and programs reflect this new guidance. Operating units implementing an EMS will use it to align operating unit mission related operating plans and environmental programs with Department environmental compliance management and performance goals.
- Future Actions: Continue EMS implementation at appropriate facilities. Operating units without an EMS must ensure their mission-related operations plans and environmental programs are aligned with the Department's by January 1, 2007.

2. Integrate environmental compliance management requirements into operating unit mission and communicate the compliance requirements to facilities in the context of facility level operations and activities.

- Current Status: This recommendation is being implemented. Where appropriate, operating units are communicating compliance requirements in the Department's *Environmental Management Manual* to their facilities. Operating units with facilities that are implementing an EMS use the EMS process to communicate compliance requirements.

- Future Actions: Continue EMS implementation at appropriate facilities.
3. Ensure organizational structure allows environmental compliance program responsibilities to exist at appropriate levels within the operating unit to convey appropriate commitment to compliance performance.
- Current Status: This recommendation was already implemented. The *Environmental Management Manual* and current organizational structure within the Department assigns environmental program responsibility at the operating unit level. Operating units are required to convey appropriate commitment to improving environmental compliance performance to their facilities. Operating units with an EMS use the EMS process to convey the commitment to environmental compliance performance.
 - Future Actions: No further action is required at this time.
4. Ensure programmatic mechanisms, including environmental management systems, are identified to allow facilities to achieve Department goals and objectives.
- Current Status: This recommendation is being implemented. The *Environmental Management Manual* established a quarterly reporting system to track operating unit status towards achieving Department goals and objectives. Operating units are reviewing the reporting requirements and establishing procedures and processes to ensure accurate reporting to the Department. In addition, operating units identified appropriate facilities that will implement an EMS.
 - Future Actions: By October 1, 2005, the Department will initiate an on-line reporting database and operating units will begin reporting environmental performance. Where appropriate, operating units will establish formal, written guidelines, procedures and processes for quarterly reporting.

C. Operating Unit Support Mechanisms Recommendations:

1. Ensure programmatic resources are provided to facilities that will lead to improved environmental compliance management and enhanced environmental program performance.
- Current Status: This recommendation cannot be fully implemented. The operating units provide limited funding to their facilities. This funding is typically used for EMS implementation, pollution prevention initiatives, and compliance inspections.
 - Justification for not fully implementing this recommendation: Due to the decentralized funding system within the Department, operating unit environmental offices do not always have the control or authority to take back, withhold, or redirect facility funding. Operating unit environmental offices coordinate funding decisions with their facilities to ensure they understand which items must be funded by the facility and which are funded by the environmental office. Operating units use the *Environmental Management Manual* reporting process or an EMS to ensure facilities obligate appropriate funding

for environmental compliance.

- Future Actions: Implementation of Administration level support planning and mechanisms recommendations must occur in order to fully implement this operating unit level recommendation.

2. Identify compliance requirements associated with facility level operations and functions.

- Current Status: This recommendation is being implemented. Operating units are reviewing the *Environmental Management Manual* to identify those compliance requirements that are associated with facility level operations and functions. Where appropriate, operating units are using their EMS to ensure the compliance requirements are included in facility level operations and functions.
- Future Actions: Continue EMS implementation at appropriate facilities. Operating units without an EMS must identify compliance requirements associated with facility level operations and functions by January 1, 2007.

3. Ensure training processes are in place and provided at the facility level to convey compliance requirements and procedures to improve compliance performance through effective environmental compliance management.

- Current Status: This recommendation is being partially implemented. Operating units with appropriate facilities use the EMS to identify training needs and convey appropriate environmental compliance requirements.
- Justification for not fully implementing this recommendation: At this time, it is not cost effective to establish formal training processes to convey environmental compliance requirements and procedures at facilities that are not deemed appropriate. Operating units will use Department level communications to convey appropriate environmental compliance requirements and procedures to these facilities.
- Future Actions: Continue EMS implementation at appropriate facilities.

4. Align established budget procedures to recognize and support environmental compliance management.

- Current Status: This recommendation is being partially implemented. Operating units are establishing procedures to meet the *Environmental Management Manual* requirement to provide environmental budget information to the Department to show support for environmental compliance management. Operating units with appropriate facilities will use the EMS to align budget procedures to recognize and support environmental compliance management.

- Justification for not fully implementing this recommendation: At this time, it is not cost effective to modify budget procedures to recognize and support environmental compliance management at operating units without appropriate facilities. These operating units will use *Environmental Management Manual* budget reporting procedures to recognize and support environmental compliance management.
- Future Actions: Continue EMS implementation at appropriate facilities. Implementation of Administration level planning and support mechanisms recommendations must occur in order to fully implement this operating unit level recommendation.

5. Train budget staff to effectively include environmental compliance management elements in budget planning and requests.

- Current Status: This recommendation is being partially implemented. Operating units with an EMS will use it to determine training requirements for budget staff. Other operating units will follow *Environmental Management Manual* guidance and reporting requirements regarding environmental budgets.
- Justification for not fully implementing this recommendation: At this time, it is not cost effective to establish formal requirements to train operating unit budget staff to effectively include environmental compliance management elements in budget planning and requests at operating units that do not have appropriate facilities.
- Future Actions: Continue EMS implementation at appropriate facilities. Implementation of Administration level planning and support mechanisms recommendations must occur in order to fully implement this operating unit level recommendation.

6. Identify opportunities for environmental compliance management performance improvement using information gathered from operating unit oversight as well as facility level checking and reporting procedures.

- Current Status: This recommendation is being implemented. The *Environmental Management Manual* provides quarterly environmental compliance reporting by the operating units. This information is used to identify opportunities for environmental compliance improvement. Operating units with appropriate facilities will use the EMS process to gather information from facilities. In addition, one operating unit uses a robust environmental compliance assessment process to identify non-compliance and opportunities for environmental compliance performance improvement.
- Future Actions: Continue EMS implementation at appropriate facilities.

7. Develop and implement processes for corrective actions that remedy findings of environmental compliance management concerns and non-compliance.

- Current Status: This recommendation is being implemented. The *Environmental Management Manual* established a requirement for operating units to report instances of environmental non-compliance and include short-term and long-term actions to correct the non-compliance and prevent repeated instances of the same non-compliance. Where cost effective, operating units have developed formal written procedures and processes to gather and track the information from their facilities. Operating units implementing an EMS will develop written corrective action procedures.
- Future Actions: Continue EMS implementation at appropriate facilities.

8. Develop funding requests for submission to Department level for environmental program improvements based on identified opportunities to improve environmental compliance management.

- Current Status: This recommendation cannot be implemented. In accordance with the *Environmental Management Manual*, operating units submit budget documents for review, not funding requests. Once the budget is approved, the operating units control the funding, not the Department.
- Justification for not implementing this recommendation: Our current budget and funding processes are decentralized to the operating unit level. Operating units do not submit individual funding requests for environmental program improvements. Operating units establish their own budgets and exercise authority over spending their funds.
- Future Actions: Implementation of Administration level planning and support mechanisms recommendations must occur in order to fully implement this operating unit level recommendation.

9. Develop funding requests for submission to Department level for environmental program improvements based on identified facility-level compliance findings.

- Current Status: This recommendation cannot be implemented. In accordance with the *Environmental Management Manual*, operating units submit budget documents for review, not funding requests. Once the budget is approved, the operating units control the funding, not the Department.
- Justification for not implementing this recommendation: Our current budget and funding processes are decentralized to the operating unit level. Operating units do not submit individual funding requests for environmental program improvements. Operating units establish their own budgets and exercise authority over spending their funds.
- Future Actions: Implementation of the Administration level support mechanisms recommendations must occur in order to fully implement this operating unit level recommendation.

10. Gather, compile, and review facility level environmental compliance management performance metrics for reporting to Department level.

- Current Status: This recommendation is being implemented. In accordance with the *Environmental Management Manual*, operating units will gather, compile, and review facility level environmental compliance management performance metrics and report results to the Department on a quarterly basis.
- Future Actions: By October 1, 2005, the Department will initiate an on-line reporting database and operating units will begin reporting environmental performance.

D. Operating Unit Accountability Recommendations:

1. Align/incorporate environmental compliance management and environmental program enhancement factors in accountability elements and roles and responsibilities for senior and mid-level management to ensure support for environmental compliance management goals.

- Current Status: This recommendation was only partially implemented. Typically, only the senior and mid-level management with direct environmental responsibilities have environmental compliance management factors in their accountability elements as determined by their immediate supervisors.
- Justification for not fully implementing this recommendation: Office of Personnel Management rules and regulations must be modified to fully implement this recommendation.
- Future Actions: Implementation of Administration level accountability recommendations must occur in order to fully implement this operating unit level recommendation.

E. Operating Unit Checking Recommendations:

1. Provide facilities with operational performance metrics necessary for the reporting to the Department in order to evaluate Department-wide environmental compliance management performance.

- Current Status: This recommendation is being implemented. The *Environmental Management Manual* provides guidance and reporting requirements and established a process for operating units to identify, collect, and report environmental performance to the Department.
- Future Actions: By October 1, 2005, the Department will initiate an on-line reporting database and operating units will begin reporting environmental performance.

2. Collect facility level information regarding environmental program management status, successes and failures to inform management decisions.

- Current Status: This recommendation is being implemented. Operating units with an EMS will use the EMS management review process to inform senior managers on the status, successes and failures of the environmental compliance program. Operating units without appropriate facilities use the *Environmental Management Manual* quarterly reporting to inform senior management on the status of the environmental compliance.
- Future Actions: By October 1, 2005, the Department will initiate an on-line reporting database and operating units will begin reporting environmental performance. Continue EMS implementation at appropriate facilities.

3. Develop and implement processes to periodically assess compliance of facilities within the operating unit and use that information for corrective action and improvement.

- Current Status: This recommendation was partially implemented. Operating units with appropriate facilities will use the EMS audit process and environmental compliance audits to assess facility environmental compliance status. An EMS will include corrective action procedures. Where cost effective, operating units without appropriate facilities will use the environmental audit procedures outlined in the *Environmental Management Manual* to assess facility environmental compliance. These procedures include corrective action reporting and tracking. In addition, one operating unit uses a robust environmental compliance assessment process to evaluate facility environmental compliance performance.
- Future Actions: Continue EMS implementation at appropriate facilities. Where cost effective, operating units will schedule environmental compliance audits at their facilities in accordance with the guidelines in the *Environmental Management Manual*.

4. Monitor environmental compliance corrective action plans to ensure resources are available and are applied and adequately address identified compliance concerns.

- Current Status: This recommendation is being implemented. Operating units, in accordance with the *Environmental Management Manual*, establish and monitor corrective action plans to address environmental non-compliance and report status to the Department on a quarterly basis. The corrective action plans include short-term and long-term goals to correct the non-compliance and prevent repeated instances of non-compliance.
- Future Actions: By October 1, 2005, the Department will initiate an on-line reporting database and operating units will begin reporting environmental performance.

5. Perform evaluations of the implications of resource shortfalls on meeting environmental management goals and objectives for the facilities under operating unit jurisdiction.

- Current Status: This recommendation is being implemented. Operating units with appropriate facilities will use the EMS management review process to evaluate the implications of resource shortfalls on meeting environmental management goals and objectives. Operating units without appropriate facilities will use the *Environmental Management Manual* quarterly reporting process to evaluate resource shortfalls.
- Future Actions: Continue EMS implementation at appropriate facilities. By October 1, 2005, the Department will initiate an on-line reporting database and operating units will begin reporting environmental performance.

V. Facility Level Recommendations

Facilities comply with Department and operating unit environmental compliance management and program requirements and collect facility-level operational information for reporting to the operating unit or Department. Appropriate facilities will implement an EMS to execute their environmental compliance management requirements. Unless otherwise indicated, the following paragraphs discuss the actions of our appropriate facilities to implement each of the specific PMC facility level recommendations.

A. Facility Policy Recommendations:

1. Include in the site/facility level EMS, a commitment to environmental compliance and other policies, goals, and commitments established by the Department and the operating unit. (For a site/facility without a formal EMS, affirm and communicate internally and externally operating unit environmental policies, goals, and commitments.)

- **Current Status:** This recommendation was partially implemented. Approximately 91% (10 of 11) of our appropriate facilities implementing an EMS established a facility environmental policy. Operating units transmitted the Department EMS policy letter and, where available, their own policy statement to its facilities and requested them to share the information with facility occupants. Facilities without a formal EMS affirm the Department or operating unit policy statement.
- **Future Actions:** The Marine Operations Center, Atlantic, an appropriate facility implementing an EMS, will establish an environmental policy by December 31, 2005.

B. Facility Planning Recommendations:

1. Ensure facility operations reflect environmental compliance management goals and requirements by integrating environmental compliance management requirements into operational instructions and procedures as guided by environmental compliance management program elements developed by operating unit.

- **Current Status:** This recommendation is being implemented. Facilities will use the EMS process to integrate Department and operating unit environmental compliance management program elements into their operating instructions and procedures.
- **Future Actions:** Continue EMS implementation at appropriate facilities.

2. Identify opportunities for environmental compliance management performance improvement using compliance performance information gathered by operating unit assessments of the facility.

- **Current Status:** This recommendation is being implemented. Appropriate facilities' EMSs will include requirements for periodic assessment of the EMS as required by operating unit directives and/or the *Environmental Management Manual*. This

information, in combination with the quarterly reporting performed by the operating unit, will identify opportunities for improving environmental compliance performance.

- Future Actions: Continue EMS implementation at appropriate facilities.

3. Align facility operations with environmental program enhancement policies, goals, and commitments developed by operating unit.

- Current Status: This recommendation is being implemented. Appropriate facilities implementing an EMS intend to use the EMS process to capture and align facility operations with the operating unit's and Department's environmental policies, goals and commitments.

- Future Actions: Continue EMS implementation at appropriate facilities.

C. Facility Support Mechanisms Recommendations:

1. Identify budget needs to support environmental compliance management through operational improvements and corrective actions.

- Current Status: This recommendation is being implemented. Appropriate facilities will include procedures in the EMS for identifying budget needs to support environmental compliance management through operational improvements and correctives.

- Future Actions: Continue EMS implementation at appropriate facilities.

2. Ensure facility leadership includes environmental compliance management elements in budget requests.

- Current Status: This recommendation is being implemented. As part of EMS implementation, appropriate facilities will include a process to ensure facility leadership reviews environmental compliance requirements and, where appropriate, includes these requirements in its budget requests.

- Future Actions: Continue EMS implementation at appropriate facilities.

3. Ensure resources provided to all facilities for improved environmental compliance management and performance are dedicated to support environmental compliance management in operations.

- Current Status: This recommendation is being implemented. As part of the EMS implementation, appropriate facilities will establish procedures to ensure resources dedicated to support environmental compliance are used for that purpose or justify why the funds were allocated to another area.

- Future Actions: Continue EMS implementation at appropriate facilities.

4. Develop and implement processes to address corrective actions in response to findings of environmental compliance management and performance concerns.

- Current Status: This recommendation is being implemented. Appropriate facilities will include procedures within their EMS that comply with the Department's *Environmental Management Manual* and operating unit requirements for reporting and tracking corrective actions in response to non-compliance.
- Future Actions: Continue EMS implementation at appropriate facilities.

D. Facility Accountability Recommendations:

1. As appropriate, align/incorporate environmental compliance management factors in accountability elements and roles and responsibilities for management and line supervisors (and operational staff as appropriate) in order to ensure support and implementation of environmental compliance management goals and environmental program enhancement.

- Current Status: This recommendation is being partially implemented. As part of the EMS implementation process, appropriate facilities will identify roles and responsibilities for environmental compliance. Immediate supervisors will determine if and when it is appropriate to incorporate these accountability elements into personnel performance measures.
- Future Actions: Continue EMS implementation at appropriate facilities. Implementation of Administration level accountability recommendations must occur in order to fully implement this facility level recommendation.

E. Facility Checking Recommendations:

1. Collect and report to the operating unit the operational performance metrics required in order for the operating unit to evaluate environmental compliance management performance.

- Current Status: This recommendation is being implemented. Appropriate facilities will incorporate Department and operating unit level goals, objectives, and targets into their EMS to ensure quarterly reporting requirements are met.
- Future Actions: Continue EMS implementation at appropriate facilities.

2. Collect and report to the operating unit, facility level information regarding environmental compliance management status, successes, and failures.

- Current Status: This recommendation is being implemented. Appropriate facilities will establish collecting and reporting processes that meet operating unit and Department requirements for quarterly reporting.
- Future Actions: Continue EMS implementation at appropriate facilities.

3. Provide annual analysis up the functional chain of resource shortfalls so that Department level policymakers are more fully informed. Analysis should include examples of negative implications resulting from these resource shortfalls.

- Current Status: This recommendation is being partially implemented. Facilities will analyze resource shortfalls and their impact on environmental compliance. They will report this information through to the functional chain level (facility, operating unit or Department) responsible for the resource shortfall.
- Justification for not fully implementing this recommendation: Due to the decentralized funding system within the Department, operating units and the Department do not always have the control or authority to take back, withhold, or redirect facility funding. Operating units coordinate funding decisions with facilities to ensure they understand which items must be funded by the facility.
- Future Actions: Implementation of Administration level planning and support mechanisms recommendations must occur in order to fully implement this operating unit level recommendation.

End